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2 JOSH COHEN  
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5  
6 Counsel for Defendant INIGUEZ  
7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-07-0278 EDL
	)	
12 Plaintiff,	)	STIPULATION AND [PROPOSED]
	)	ORDER CONTINUING STATUS
13 v.	)	CONFERENCE AND EXCLUDING TIME
	)	UNDER THE SPEEDY TRIAL ACT
14 DAVID INIGUEZ,	)	
	)	
15 Defendant.	)	
	)	

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16  
17 Having made his initial and one subsequent appearance on an information charging him  
18 with theft of government property, in violation of 18 U.S.C. § 641, defendant David Iniguez is  
19 scheduled to appear before this Court for trial setting on July 24, 2007.

20 Mr. Iniguez is scheduled to undergo oral surgery on July 23, 2007 and has been advised  
21 to stay home to recover for the following few days. Accordingly, the parties agree and stipulate  
22 to a one-week continuance of the matter to July 31, 2007.

23 The parties further agree and stipulate that the time between July 24, 2007 and July 31,  
24 2007 should be excluded under the Speedy Trial Act for effective preparation of counsel. The  
25 parties are engaged in mutual exchange of discovery and investigations are underway to

26 ///

1 determine whether the case is amenable to pretrial resolution.

2 IT SO STIPULATED.

3 BARRY J. PORTMAN  
4 Federal Public Defender

5 Dated: 07/20/2007

6 /s/  
JOSH COHEN  
Assistant Federal Public Defender

7 SCOTT N. SCHOOLS  
8 United States Attorney

9 Dated: 07/20/2007

10 /s/  
WENDY THOMAS  
Assistant United States Attorney

11  
12 **ORDER**

13 Accordingly, and for good cause shown, the trial-setting conference presently scheduled  
14 for July 24, 2007 is hereby continued to July 31, 2007 at 10:30 a.m.

15 The time from July 24, 2007 through July 31, 2007 shall be excluded under the Speedy  
16 Trial Act. The Court finds that the failure to grant the requested continuance would deny the  
17 defendant effective preparation of counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). The Court  
18 further finds that the ends of justice served by granting the requested continuance outweigh the  
19 best interests of the public and the defendant in a speedy trial and in the prompt disposition of  
20 criminal cases. See id. § 3161(h)(8)(A).

21 IT IS SO ORDERED.

22 Dated:

23 ELIZABETH D. LAPORTE  
UNITED STATES MAGISTRATE JUDGE